



**CALIFORNIA STATE
PUBLIC WORKS BOARD**

EDMUND G. BROWN JR. • GOVERNOR

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NOTICE OF MEETING

STATE PUBLIC WORKS BOARD

**Monday, June 15, 2015, at 2:30 p.m. in Room 113,
State Capitol, Sacramento, California**

AGENDA

- I.** Roll Call
- II.** Approval of minutes from the May 8, and May 20, 2015 meeting
- III.** Consent Items Page 02
- IV.** Action Item Page 33
- V.** Closed Session Page 41
- VI.** Reportables Page 41

Pursuant to section 11125 of the Government Code, notice of all Board meetings will be given at least ten days in advance and such notice must include a copy of the agenda. Members of the Public may address the Board prior to it taking action on any matter in the agenda.

This notice and the Board agenda for the current month are available on the Internet at: <http://www.spwb.ca.gov>.

Individuals who need disability-related accommodation, including auxiliary aids for effective participation at this public meeting are invited to make their requests and preferences known to Aurelia Bethea at (916) 445-9694 or e-mail to aurelia.bethea@dof.ca.gov five days prior to the meeting.

CONSENT ITEMS

CONSENT ITEM— 1

JUDICIAL COUNCIL OF CALIFORNIA (0250)
INDIO JUVENILE AND FAMILY COURTHOUSE
RIVERSIDE COUNTY

*Authority: Sections 70371.5 and 70371.7 of the Government Code
Chapter 33, Statutes of 2011, Item 0250-301-3138 (9)
Chapter 20, Statutes of 2013, Item 0250-301-3138 (4), as reappropriated
by the Budget Act of 2014*

Consider approving preliminary plans

CONSENT ITEMS

STAFF ANALYSIS ITEM—1

Judicial Council of California
Indio Juvenile and Family Courthouse
Riverside County

Action Requested

If approved, the requested action would approve preliminary plans.

Scope Description

This project is within scope. The authorized scope for this project includes construction of a new five-courtroom, approximately 54,967 program gross square feet courthouse in the City of Indio, Riverside County. This project will relieve the current space shortfall, increase security, and replace inadequate and obsolete buildings in Riverside County. The project will replace the current Indio Juvenile facility and consolidate portions of the court calendar at the Larson Justice Center. In order to increase security, this project will include entrance screening with one screening station, two magnetometers, two package screeners, and an approximately 120 square foot control room to monitor security functions. The current facilities do not have modern screening equipment or a control room.

Funding and Cost Verification

This project is within cost. A total of \$9,741,000 has been appropriated for this project. Based on the completed preliminary plans, the estimated total project costs are consistent with the authorized project costs as shown below. We note that since the latest approved COBCP in June 2013 for the working drawings phase, additional construction costs have been identified that are estimated to be \$950,000. However, there are savings of \$660,000 in the preliminary plans phase and estimated savings of \$290,000 from working drawings. These savings will completely offset the current estimated increase to the construction phase, resulting in no change to the total authorized project costs.

| | |
|--------------|--|
| \$52,634,000 | total authorized project costs |
| \$52,634,000 | total estimated project costs |
| \$ 6,257,000 | project costs previously allocated: \$3,423,000 acquisition and \$2,834,000 preliminary plans |
| \$46,377,000 | project costs to be allocated: \$3,484,000 working drawings and \$42,893,000 construction (\$36,759,000 contract, \$1,878,000 contingency, \$953,000 A&E, and \$3,303,000 other) |
| \$ 290,000 | savings for working drawings |

CEQA

A Notice of Exemption was filed with the State Clearinghouse on January 28, 2010, and the 35-day statute of limitations expired without challenge.

Real Estate Due Diligence

A Real Estate Due Diligence letter for this project was completed on May 12, 2015, and no issues that would adversely affect the quiet enjoyment and beneficial use of the project were identified. However, prior to the issuance of bonds for the construction phase of this project the following items must be addressed: recordation of the Termination Agreement, removal and reconfiguration of the County IT lines, separation of the State and County utilities, and assurance that project design documents do not include improvements in the area of the County Access Easement.

Project Schedule

| | |
|---------------------------|-----------|
| Approve preliminary plans | June 2015 |
| Complete working drawings | July 2016 |
| Start construction | May 2017 |
| Complete construction | July 2019 |

Staff Recommendation: Approve preliminary plans.

CONSENT ITEMS

CONSENT ITEM—2

JUDICIAL COUNCIL OF CALIFORNIA (0250)
NEW MID COUNTY CIVIL COURTHOUSE, MENIFEE SITE
RIVERSIDE COUNTY

*Authority: Sections 15853 and 70371.7 of the Government Code
Chapters 21 and 29, Statutes of 2012, Item 0250-301-3138 (14)*

Consider authorizing acquisition

CONSENT ITEMS

STAFF ANALYSIS ITEM—2

Judicial Council of California
New Mid County Civil Courthouse, Menifee Site
Riverside County

Action requested

If approved, the requested action would authorize acquisition.

Scope Description

This project is within scope. This requested action would authorize the acquisition of a 3.87 acre site in the Menifee Town Center, a planned subdivision in the city of Menifee in Riverside County. This parcel will be used to construct a new nine-courtroom, 89,690 square foot courthouse with secure parking for judicial officers. The new courthouse project will replace an existing five courtroom facility which is poorly located, functionally and physically deficient, and will address security and overcrowding issues currently facing the court. The new courthouse will be located across the street from the Menifee Civic Center, which is planned to include a new city hall. The Board approved site selection for the Property on November 10, 2011.

Funding and Cost Verification

This project is within cost. Government Code sections 70371.5 and 70371.7 and Chapters 21 and 29, Statutes of 2012, Item 0250-301-3138 (14) provide \$5,563,000 for the acquisition phase. The balance of the appropriation is sufficient to acquire the subject parcel in accordance with Legislative intent.

CEQA

A Notice of Determination for the Court facility was filed with the State Clearinghouse on January 9, 2015, and the 30-day statute of limitations expired February 9, 2015.

Project Schedule

The anticipated close of escrow is July 2015.

Condition of Property

DGS conducted a site visit in September 2013 to determine the general condition of the site. The site is about 5.2 acres of undeveloped property consisting of vacant land covered with sparse vegetation. It appears compact fill was brought in as the site is about four feet above grade level of the adjacent Sherman Road. The land has been rough graded leveled and appears ready for development. A Phase 1 Environmental Site Assessment (ESA) was conducted for the site. The following findings were made:

Phase I ESA

The ESA shows the site was previously developed for agricultural use as early as 1938. By 1994, the property was graded vacant land. The possibility exists that pesticides, herbicides, or fertilizers may have been applied to the soil and these substances may still be present in the soil at residual concentrations. Based on the findings of the Phase I ESA, a Phase II ESA was recommended.

Phase II ESA

Based on the previous possible land use for agriculture, a detailed soil sampling was undertaken according to US EPA protocols. Soil analytical results indicated no constituents of concern. The Phase II ESA report did not recommend any additional investigation. However, it did include a recommendation to implement dust control measures during construction to reduce mitigation of soil off site.

Property Acquisition Agreement and related documents

The Property Acquisition Agreement (PAA) will require delivery of title to the property free and clear of the Development Agreement (DA) and provides three possible options to extinguish the DA. The first option involves recording a second amendment to the DA to indicate that the state is not subject to the DA as long as the state holds title to property. The second option is a partial termination to the DA, with respect to the state property, which would have the same intent as option one. Both options would require the city of Menifee to take formal action to approve changes to the DA at a city meeting. The third option is for the title company to issue the state full title insurance that would be free and clear of any exceptions related to the DA and first amendment. This option requires the city of Menifee to release any liens on the DA and first amendment against the state property being acquired.

The Judicial Council will pursue option three via a Release, Waiver, and Estoppel of Development Agreement as this is the quickest route to close escrow and start this project, while still adequately safeguarding the state on this acquisition. Once the state takes title to the property, the DA will no longer encumber the property.

The estimated fair market value of the property to be acquired is \$2.1 million, as determined by a DGS approved appraisal. However, through a deal with the developer, the state will only be required to pay \$700,000 for the property. As part of the PAA, a Reciprocal Parking Agreement (RPA) will give the state a permanent easement covering the proposed parking area of the state site and an adjacent site across the street at a movie theatre. The RPA will provide additional parking during the normal business hours for the court, in exchange for additional parking for the movie theater after regular court hours, except in the event of night court. Until the construction of the parking lot and permanent parking easement is in effect, the state is granted temporary access to this area through a Temporary Grant Of Access Easement (TGAE). Prior to issuing the RPA, the seller of the property shall construct and dedicate three streets surrounding the subject property within one year following the date the Judicial Council commences foundation work on the new courthouse building. The TGAE will also cease to exist once the streets are declared public by the city.

Staff Recommendation: Authorize acquisition

CONSENT ITEMS

CONSENT ITEM—3

**DEPARTMENT OF FORESTRY AND FIRE PROTECTION (3540)
LAS POSADAS FOREST FIRE STATION - REPLACE FACILITY
NAPA COUNTY**

*Authority: Chapter 171, Statute of 2007, Item 3540-301-0660 (1) as reappropriated by the
Budget Acts of 2008, 2009, 2010, 2011, and 2013*

Consider approving preliminary plans

CONSENT ITEMS

STAFF ANALYSIS ITEM—3

Department of Forestry and Fire Protection
Las Posadas Forest Fire Station – Replace Facility
Napa County

Action requested

If approved, the requested action would approve preliminary plans.

Scope Description

The project is within scope. This project will design and construct a standard 1-engine fire station with a 1-bay apparatus building (1,708 sf), an 8-bed dormitory / mess hall (3,134 sf), and a generator/fire pump/storage building (660 sf). Site development includes: demolition, a new water well with 20,000 gallons of total water storage, trash enclosure, above-ground fuel vault with canopy, septic system and leach field, hose wash rack, grading and paving, new radio tower, fencing, lighting, landscaping, and other necessary appurtenances.

Funding and Cost Verification

This project is not within cost. The Budget Act of 2007 provides a total of \$4,784,000 lease revenue bond financing for preliminary plans (\$395,000), working drawings (\$286,000), and construction (\$4,103,000).

Based on the completed preliminary plans, the Department of Forestry and Fire Protection (CalFire) estimates that the total project costs have increased by a net of \$385,000 or 8.0 percent as a result of working drawings phase savings of \$205,000 offset by an increase of \$591,000 in estimated construction costs (\$456,700 contract, \$23,600 contingency, \$56,400 A&E, and \$53,400 other project costs). The revised total estimated project cost is \$5,169,000.

The working drawings and construction lease revenue bond financing authority appropriated in the Budget Act of 2007 reverted in March 2015, pursuant to the provisions of section 13332.11 of the Government Code because CalFire proceeded with working drawings prior to board approval of the preliminary plans. A new \$4,774,000 appropriation of lease revenue bond financing authority for the working drawings and construction phases was proposed in an April 1 Finance Letter and is currently included in the 2015-16 Budget Bill pending final legislative approval and enactment.

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| \$ 395,000 | total authorized project costs |
| \$5,169,000 | total estimated project costs |
| \$ 395,000 | project costs previously allocated: preliminary plans |
| \$4,774,000 | project costs to be allocated: \$81,000 working drawings and \$4,693,000 construction (\$3,744,000 contract, \$188,000 contingency, \$390,000 A&E, \$333,000 other project costs, and \$38,000 agency retained) |

CEQA

A Notice of Determination was filed with the State Clearinghouse on January 4, 2011 and the 30-day statute of limitations expired without challenge.

Real Estate Due Diligence

A Summary of Conditions Letter is in process and expected to be completed during the working drawing phase.

Project Schedule

| | |
|---------------------------|---------------|
| Approve preliminary plans | May 2015 |
| Complete working drawings | August 2015 |
| Start construction | February 2016 |
| Complete construction | March 2017 |

Staff Recommendation: Approve preliminary plans

CONSENT ITEMS

CONSENT ITEM—4

DEPARTMENT OF PARKS AND RECREATION (3790)
OLD TOWN SAN DIEGO STATE HISTORIC PARK
BUILDING DEMOLITION AND IMMEDIATE PUBLIC USE
SAN DIEGO COUNTY

*Authority: Chapter 1, Statutes of 2009, Item 3790-301-6051(10), as reappropriated by
the Budget Acts of 2010, 2011, 2012, 2013, and 2014
Chapter 25, Statutes of 2014, Item 3790-301-6051(2)*

Consider approving preliminary plans

CONSENT ITEMS

STAFF ANALYSIS ITEM—4

Department of Parks and Recreation
Old Town San Diego State Historic Park
Building Demolition and Immediate Public Use
San Diego County

Action Requested

If approved, the requested action would approve preliminary plans.

Scope Description

This project is within scope. This project provides for the abatement, demolition and removal of the former Caltrans office buildings located at the Southwest corner of Juan and Taylor Streets in Old Town San Diego State Historic Park. Necessary archeological investigations will be performed once the site is empty to identify, minimize, and mitigate any impacts to existing subsurface cultural resources. This project will also construct Immediate Public Use facilities including, but not limited to, a much needed interim public use parking area, basic landscaping and interpretive components, along with an enhanced pedestrian circulation system.

Funding and Cost Verification

This project is within cost. A total of \$8,079,000 has been appropriated for this project.

| | |
|-------------|--|
| \$8,079,000 | total authorized project costs |
| \$8,079,000 | total estimated project costs |
| \$ 436,000 | previously allocated: preliminary plans |
| \$7,643,000 | project costs to be allocated: \$299,000 working drawings and \$7,344,000 construction (\$6,227,000 contract, \$436,000 contingency, \$429,000 A&E costs, and \$252,000 agency retained) |

CEQA

A Notice of Determination was filed with the State Clearinghouse on April 14, 2015, and the 30-day statute of limitations expired on May 14, 2015, without comment.

Real Estate Due Diligence

The Caltrans buildings were transferred to Parks at the end of December 2013. After the buildings were transferred, Parks staff researched various title documentation as part of the due diligence process. Based upon this research, no issues that would adversely affect the quiet enjoyment or beneficial use of the project were identified.

Project Schedule

| | |
|---------------------------|---------------|
| Approve preliminary plans | June 2015 |
| Complete working drawings | December 2016 |
| Start construction | April 2016 |
| Complete construction | March 2017 |

Staff Recommendation: Approve preliminary plans.

CONSENT ITEMS

CONSENT ITEM—5

**DEPARTMENT OF PARKS AND RECREATION (3790)
PRAIRIE CITY STATE VEHICULAR RECREATION AREA, EHNISZ RANCH
SACRAMENTO COUNTY**

DPR Parcel Number 10658, DGS Parcel Number 10828

*Authority: Chapter 21, Statutes of 2012, Item 3790-301-0263(1)
Chapter 1, Statutes of 2009, Item 3790-301-0263(4), as reappropriated by the
Budget Act of 2012*

Consider authorizing acquisition

CONSENT ITEMS

STAFF ANALYSIS ITEM—5

Department of Parks and Recreation
Prairie City State Vehicular Recreation Area, Ehnisz Ranch
Sacramento County

Action requested

If approved, the requested action would authorize acquisition.

Scope Description

This project is within scope. The requested action would authorize acquisition of approximately 229 acres of vacant land known as Ehnisz Ranch ("Property") to be used as a buffer to future development adjacent to the Prairie City State Vehicular Recreation Area ("SVRA") in Sacramento County. The SVRA has been surrounded by land designated for industrial use since its inception in 1990. The SVRA is located on property previously owned by rocket and missile manufacturer Aerojet Rocketdyne ("Aerojet"), and is adjacent to a gravel mining operation to the south of the SVRA. The Department of Parks and Recreation ("Parks") wants to purchase the Property because residential and commercial development that is expected to occur in the area surrounding the SVRA is not compatible with the SVRA. In addition, this acquisition will provide vital secondary access into the SVRA from the newly constructed traffic controlled intersection at Grant Line Road and White Rock Road (the "Intersection"). The Property could also provide enhanced recreational opportunities for off-highway motor vehicle recreation depending upon the future uses of this Property.

Background

The Property is being offered for sale by three limited-liability companies: HILCREST 2 LLC, EAST-WEST SOLUTION PROPERTIES LLC, and ESPW 2 LLC (together, the “Sellers”). Prior to the current Sellers’ ownership of the Property in 2012, the Property was owned by Aerojet since 1994. As a result of Aerojet’s operations on other properties adjacent to the Property, the groundwater under the Property is contaminated with hazardous materials. Aerojet has been and continues to remediate the groundwater in the surrounding areas and beneath the Property under oversight from the United States Environmental Protection Agency (“U.S. EPA”), the California Department of Toxic Substances Control (“DTSC”), and the California Regional Quality Control Board (“RWQCB”) (collectively the “Environmental Agencies”). Significantly, there has been no known release of any hazardous substances to the soil at the Property. All known sources of releases of hazardous substances found in the groundwater beneath the Property are located outside the Property boundary.

Prior to the current Seller’s acquisition of the Property, Aerojet and the Environmental Agencies entered into a Covenant to Restrict Use of Property (the “Land Use Covenant”). The Land Use Covenant restricts the use of the groundwater beneath the Property and requires any owner of the Property to assume and perform certain inspection and reporting requirements in connection with the groundwater remediation efforts. As a condition to the State agreeing to purchase the Property, Parks has entered into an agreement with the Sellers whereby the Sellers will assume and perform all inspection and reporting requirements required of an owner of the Property under the Land Use Covenant. The Sellers will also provide requisite financial assurances to the State to ensure that all costs and expenses associated with the inspection and reporting requirements under the Land Use Covenant will be covered now and in the future.

Additionally, prior to the current Sellers’ ownership of the Property, Aerojet transferred their interest in the Property by Grant Deed (the “Aerojet Deed”) to Easton Development Company (“EDC”). EDC is an affiliate of Aerojet, and engaged in the development of real property owned and controlled by Aerojet. Thereafter, EDC transferred ownership of the Property to the current Sellers. At that time, Aerojet and the Sellers entered into an Environmental Remediation and Indemnity Agreement whereby Aerojet retained all responsibility for performing, managing, and overseeing all environmental obligations pertaining to the Property. Aerojet also retained access rights to the Property, and expressly agreed to indemnify the Sellers from any claims related to the environmental conditions of the Property. As a condition to the State agreeing to purchase the Property from the Sellers, the State and the Sellers, with the consent of Aerojet, have entered into an Assignment and Assumption Agreement effectively assigning the Remediation and Indemnity Agreement to the State. Accordingly, the Remediation and Indemnity Agreement will provide the State with contractual protections from environmental obligations imposed by the Environmental Agencies on the Property.

The Aerojet Deed does require any successor-in-interest (i.e. Parks) to the Property to pay half of the cost of installing, constructing, and maintaining a property-line fence as may be required now or in the future. As a condition to Parks agreeing to purchase the Property from the Sellers, the Sellers’ shall assume the obligations of installing, constructing, and maintaining the property-line fence as may be required by covenants contained in the Aerojet Deed. The Sellers’ obligation to assume the responsibilities of installing, constructing, and maintaining the property-line fence, as may be required by covenants contained in the Aerojet Deed, will be included in the agreement between Parks and the Sellers for the Land Use Covenant discussed above.

When the Sellers acquired the Property from Aerojet, they entered into a Grant of Easement and Mutual Covenants (the "Connectivity Easement") in order to provide for mutual easements over the Property to the existing and future Intersection. As a condition to the Sellers agreeing to sell the Property to the State, and the State agreeing to purchase the Property from the Sellers, the State will require an amendment to the Connectivity Easement to assure that Parks, the Sellers, and Aerojet have access to the newly widened Intersection and for purposes of ingress and egress to their respective properties.

As a condition to the Sellers agreeing to sell the Property to Parks, the Sellers will require that the State grant to them an easement for a "haul road" over a portion of the Property (the "Haul Road Easement"). The Haul Road Easement will allow the Sellers to construct and use an exclusive private roadway on the Property for ingress and egress to their adjacent property for potential aggregate mining purposes and defined ranching activities. In granting the haul road easement, Parks will reserve a right of access to the Intersection over the west 650 feet of the easement for purposes of access to the Property.

Funding and Cost Verification

This project is within cost. A total of \$4,000,000 in the Opportunity Purchase Fund has been appropriated for opportunity and in-holding acquisitions. The balance of this fund is sufficient to acquire the Property in accordance with legislative intent.

CEQA

A Notice of Exemption was filed with the State Clearinghouse on May 30, 2014. The 35-day statute of limitations expired without adverse comment.

Project Schedule

Close of escrow: September 2015

Condition of Property

- The Property is situated above a plume of contaminated groundwater as a result of Aerojet's operations in the area. However, there has been no known release of chemicals of concern or other hazardous substances to the soil at the Property.
- There are groundwater monitoring wells on the Property located on fenced pad areas; however, Aerojet is agreeable to moving or altering these wells should any future development of the site require relocation of the wells.
- The Property is vacant with the exception of some fencing and there are no improved structures located on the Property.

On June 12, 2014, the Department of General Services ("DGS") staff visited the Property to assess its general condition. The Property is located at the southeast corner of the intersection of White Rock Road and Old Rock Road in the unincorporated area of Sacramento County near Rancho Cordova, California.

Phase I Environmental Site Assessment

A Phase I Environmental Site Assessment ("Phase I ESA") was completed in accordance with American Society for Testing and Materials Standard on October 1, 2012 by SESPE Consulting, Inc. The Phase I stated that the only Recognized Environmental Concern is the identified Aerojet groundwater contamination. With this identified REC, and the cleanup already in process, no future environmental investigation is recommended.

We note that the Phase I ESA completed by SESPE Consulting Inc., indicated that the Property is part of the Aerojet Superfund Site. However, Parks has verified with the DTSC that the Property was/is not part of the Superfund Site. However, this Property does have underlying groundwater contamination impacted with solvents, fuels, and other chemicals that have migrated under the site from the main contamination source to the north from the nearby Aerojet site. The Property is primarily vacant except for a series of groundwater monitoring and extraction wells that are owned/operated by Aerojet. There are also scattered wetland/vernal pools over the Property and high-power transmission lines on the southeast part of the Property.

The Environmental Agencies have an interest in Property. As such, the following covenants (restrictions) have been placed on the Property by the DTSC that may affect operations and should be made aware of as a condition of the Property:

- There is a covenant against the extraction of water from the site by any means without the permission of the EPA and the RWQCB;
- There is a covenant against the recharging of groundwater by any means without permission of the EPA and RWQCB;
- Any development of the Property considering permanent roadways, or any means of water conveyance (creeks, ditches, channels, etc.) must have prior express written approval of the EPA and the RWQCB. We note that the Sellers have already cleared the construction of the Haul Road with the Environmental Agencies.

These restrictions can be removed if approved by the DTSC and the U.S. EPA.

From the information obtained during the site visit, cleanup of the Aerojet contamination is expected to take approximately the next 100 years.

Other

- The Board approved site selection for this property on November 14, 2014.
- The purchase price of \$3.2 million shall not exceed estimated fair market value as determined by a DGS-approved appraisal. The granting of the Haul Road Easement has been factored into the purchase price.
- There is no relocation assistance involved with the project.
- Parks is not aware of any lawsuits pending concerning the Property.
- There is no issue with implied dedication associated with this Property.
- The proposed acquisition is consistent with the state's planning priorities in accordance with Government Code section 65041 et seq. State ownership of this Property will help ensure these open spaces are protected and limit potential incompatible development in this area.
- Additional resources will not be needed to operate and maintain the Property, if acquired.

Staff Recommendation: Authorize acquisition

CONSENT ITEMS

CONSENT ITEM—6

DEPARTMENT OF STATE HOSPITALS (4440)
NAPA STATE HOSPITAL
NAPA COURTYARD GATES AND SECURITY FENCING
NAPA COUNTY

*Authority: Chapter 20 Statutes of 2013, Item 4440-301-0001 (2)
Chapter 25 Statutes of 2014, Item 4440-301-0001 (4)*

Consider approving preliminary plans

CONSENT ITEMS

STAFF ANALYSIS ITEM—6

Department of State Hospitals
Napa State Hospital, Napa Courtyard Gates and Security Fencing
Napa County

Action Requested

If approved, the requested action would approve preliminary plans.

Scope Description

This project is within scope. This project provides security fencing and gate upgrades at 44 courtyards located at Buildings 168, 195, 196, 197, 198, and 199. The work includes installation of Razor Ribbon wire extensions at existing fencing; provides new fencing at areas currently without fencing; and replacement/modification to existing courtyard security gates.

Funding and Cost Verification

This project is within cost. The total cost of the project is \$2,409,000. The preliminary plans and working drawings were appropriated in Budget Acts of 2013 and 2014. Appropriations for this project include \$863,000 for preliminary plans and \$191,000 for working drawings. The \$2,029,000 construction phase is proposed for funding in the 2015 Governor's Budget.

| | |
|-------------|--|
| \$2,409,000 | total authorized project costs |
| \$2,409,000 | total estimated project costs |
| \$ 189,000 | costs previously allocated: preliminary plans |
| \$2,220,000 | costs to be allocated: \$191,000 working drawings and \$2,029,000 construction (\$1,621,000 contracts, \$114,000 contingency, and \$294,000 project administration). |

CEQA

A Notice of Exemption was filed with the State Clearinghouse on April 24, 2015, and the 35-day statute of limitations expired without challenge.

Real Estate Due Diligence

Real Estate due diligence was completed on May 5, 2015, and no issues that would adversely affect the beneficial use and quiet enjoyment of the project were identified.

Project Schedule

| | |
|---------------------------|--------------|
| Approve preliminary plans | June 2015 |
| Complete working drawings | January 2016 |
| Start construction | March 2016 |
| Complete construction | May 2017 |

Staff Recommendation: Approve preliminary plans.

CONSENT ITEMS

CONSENT ITEM—7

DEPARTMENT OF CORRECTIONS AND REHABILITATION (5225)
JAIL PROJECT
RIVERSIDE COUNTY

Authority: Sections 15820.91 – 15820.917 of the Government Code

Consider recognizing revised project costs

CONSENT ITEMS

STAFF ANALYSIS ITEM—7

Department of Corrections and Rehabilitation
Jail Project
Riverside County

Action Requested

If approved, the requested action would recognize revised project costs.

Scope Description

This project is within scope. This project will design and construct a new jail facility in the city of Indio on approximately 6.5 acres of a greater 33.5± acres of county-owned land. The new building will provide approximately 516,000 square feet of housing, treatment, program, and support space.

The housing area of the building will provide approximately 332,000 square feet of space and include eight two-tiered housing units providing a total of approximately 1,536 beds. The formation of the housing area of the building will be two columns of four housing units each. The housing area will also include dayrooms, recreation yards, a control room, classrooms, interview rooms, and space for video visitation and support services.

The support area of the building will be three stories, including a full basement level, and provide approximately 184,000 square feet of space. The basement level will include a central plant; a kitchen; locker rooms; and storage, maintenance, and staff services space. The ground level will include areas for intake and release, laundry, video visitation, programs, administration, records, and storage. The second level will include an inmate culinary training classroom; staff kitchen and dining space; central control; and health services, video visitation, training and administration space. The second level will also provide an approximately 74-bed special use housing unit for inmates with medical and mental health needs. This housing unit will also include the necessary treatment, program, administration, and support services space.

Once the new facility is complete, the existing facility will be demolished. The existing jail footprint will be used for an intake sally port and surface parking for public visitors. The project will also include, but is not limited to, electrical; plumbing; mechanical; heating, ventilation, and air conditioning; security; and fire protection systems. In addition, there will be secure fencing surrounding the facility to provide grounds security.

Funding and Project Cost Verification

This project is not within cost. On April 15, 2013, the Board established the scope, cost, and schedule of this project, allocating \$100,000,000 of the \$854,229,000 lease revenue bond financing authority appropriated in section 15820.913 of the Government Code (AB 900, Phase 2) to partially finance the design and construction of this project. All of the acquisition/study costs and any design and construction costs in addition to this amount will be paid by the county. At the time of establishment, the total estimated project cost was \$240,371,000. On March 14, 2014, a new project cost estimate in the amount of \$309,791,000 was approved by the Board in association with the completion of preliminary plans, a scope change, and revised project costs. Subsequent to that action, a revised project cost estimate was prepared in association with the receipt of the construction bids and preparation to award a construction contract. Based on this revised estimate, the current total estimated project cost is \$330,352,000, which is an increase of \$20,561,000. This action will recognize these revised project costs as detailed below.

| | |
|---------------|---|
| \$309,791,000 | total authorized project costs |
| \$330,352,000 | total estimated project costs |
| \$100,000,000 | state costs previously allocated: Construction (contract) |
| \$209,791,000 | local costs previously allocated: \$2,719,000 acquisition/study, \$6,109,000 preliminary plans, \$5,547,000 working drawings, and \$195,416,000 construction (\$160,957,000 contract, \$13,048,000 contingency, \$4,726,000 A&E, \$13,566,000 other project costs, and \$3,119,000 agency retained items) |
| \$ 20,561,000 | local costs increase: \$3,722,000 working drawings and \$16,839,000 construction (\$13,960,000 contract, \$2,073,000 contingency, and \$806,000 other project costs) |

CEQA

A Notice of Determination was filed with the State Clearinghouse on July 17, 2013, and the 30-day statute of limitations expired without challenge.

Real Estate Due Diligence

Real Estate due diligence was completed on March 19, 2014, and no issues that would adversely affect the beneficial use and quiet enjoyment of the project were identified.

Project Schedule

| | |
|---------------------------|---------------|
| Approve preliminary plans | March 2014 |
| Complete working drawings | February 2015 |
| Start construction | June 2015 |
| Complete construction | October 2018 |

Staff Recommendation: **Recognize revised project costs.**

CONSENT ITEMS

CONSENT ITEM—8

DEPARTMENT OF CORRECTIONS AND REHABILITATION (5225)
ADULT LOCAL CRIMINAL JUSTICE FACILITIES PROJECT
KINGS COUNTY

Authority: Sections 15820.92 – 15820.926 of the Government Code

Consider approving preliminary plans

CONSENT ITEMS

STAFF ANALYSIS ITEM—8

Department of Corrections and Rehabilitation
Adult Local Criminal Justice Facilities Project
Kings County

Action Requested

If approved, the requested action would approve preliminary plans.

Scope Description

This project is within scope. This project will design and construct an expansion of the existing county jail located in the city of Hanford on county-owned land. The expansion will include additional housing, program, treatment, and support space, as well as a day reporting center.

The project will expand the existing AB 900 Phase II jail and will include a new mental health unit with approximately 24 beds, multipurpose rooms, interview rooms, recreation yards, and video visitation and support space. The project will also include a new kitchen; vocational classrooms; and program, warehouse, and maintenance space.

The new day reporting center will be a stand-alone building on the existing jail site, will include a lobby, and program and office space.

The project will also include, but is not limited to electrical; plumbing; mechanical; heating, ventilation, and air conditioning; security; fire protection systems; and all necessary appurtenances.

Funding and Project Cost Verification

This project is not within cost. Section 15820.922 of the Government Code (SB 1022) appropriates \$500,000,000 lease revenue bond financing authority to partially finance the design and construction of adult local criminal justice facilities. Award of this funding to individual counties is administered by the Board of State and Community Corrections (BSCC). BSCC has conditionally awarded \$20,000,000 from this appropriation to Kings County for this project. All acquisition/study and any design and construction costs in addition to this amount will be paid by the county.

On November 14, 2014, the Board established the scope, cost, and schedule of this project, allocating \$20,000,000 of the \$500,000,000 lease revenue bond financing authority appropriated in section 15820.922 of the Government Code to partially finance the design and construction of this project. At the time of establishment, the total estimated project cost was \$21,052,000. Subsequent to that action, a new project cost estimate was prepared in association with the completion of preliminary plans. Based on this revised estimate, the current total estimated project cost is \$21,279,000, which includes a potential deficit of \$227,000.

| | |
|--------------|---|
| \$21,052,000 | total authorized project cost |
| \$21,279,000 | total estimated project cost |
| \$20,000,000 | state costs previously allocated: \$395,000 preliminary plans, \$812,000 working drawings, and \$18,793,000 construction (\$15,453,000 contract, \$1,161,000 contingency, \$279,000 A&E, and \$1,900,000 other project costs) |
| | state costs adjustment: construction (an increase of \$185,000 contract and a decrease of \$185,000 contingency) |
| \$ 1,052,000 | local costs previously allocated: \$195,000 acquisition, \$227,000 preliminary plans, \$193,000 working drawings, and \$437,000 construction (\$27,000 contract and \$410,000 other project costs) |
| \$ 227,000 | local potential costs deficit: an increase of \$28,000 working drawings and \$199,000 construction (contingency) |

CEQA

A Notice of Exemption was filed with the State Clearinghouse on November 21, 2013, and the 35-day statute of limitations expired without challenge.

Real Estate Due Diligence

Real Estate due diligence for this project was completed on June 10, 2015, and no issues that would adversely affect the beneficial use and quiet enjoyment of the project were identified.

Project Schedule

| | |
|---------------------------|--------------|
| Approve preliminary plans | June 2015 |
| Complete working drawings | January 2016 |
| Start construction | April 2016 |
| Complete construction | October 2017 |

Staff Recommendation: **Approve preliminary plans.**

CONSENT ITEMS

CONSENT ITEM—9

**BOARD OF STATE AND COMMUNITY CORRECTIONS (5227)
ADULT LOCAL CRIMINAL JUSTICE FACILITIES PROJECT
FRESNO COUNTY**

Authority: Sections 15820.92 – 15820.926 of the Government Code

Consider establishing scope, cost, and schedule

CONSENT ITEMS

STAFF ANALYSIS ITEM—9

Board of State and Community Corrections
Adult Local Criminal Justice Facilities Project
Fresno County

Action Requested

If approved, the requested action would establish the project scope, cost and schedule.

Scope Description

This project will design and construct a new building adjacent to the existing North Annex Jail building on county-owned land. The building will have four floors, including a full basement level, and will provide housing, program, and administrative space.

The basement level will provide warehouse, laundry, administrative, and support space. The first floor will provide a lobby; central control; a loading and receiving dock; and video visitation, day reporting, administrative, and program space. The second and third floors will provide housing space, including approximately 300 medium and maximum security beds. The two floors will also include dayrooms; recreation yards; interview rooms; and medical treatment, program, and support space.

This project will also include upgrades to the central plant and an extension of an underground tunnel that will connect to the existing North Annex Jail building. The project will include but is not limited to, electrical; plumbing; mechanical; heating, ventilation, and air conditioning; security; and fire protection systems.

Funding and Project Cost Verification

Section 15820.922 of the Government Code (SB 1022) appropriates \$500,000,000 lease revenue bond financing authority to partially finance the design and construction of adult local criminal justice facilities. Award of this funding to individual counties is administered by the Board of State and Community Corrections (BSCC). The BSCC has conditionally awarded \$79,194,000 from this appropriation to Fresno County for this project. All acquisition/study and any design and construction costs in addition to this award amount will be paid by the county. This action would allocate \$79,194,000 from this appropriation to complete design and construction of this project.

| | |
|--------------|--|
| \$87,993,000 | total estimated project cost |
| \$79,194,000 | state costs to be allocated: \$1,175,000 preliminary plans, \$4,238,000 working drawings, \$73,781,000 construction, (\$57,373,000 contract and \$6,284,000 contingency, \$1,830,000 A&E, and \$8,294,000 other project costs) |
| \$ 8,799,000 | local costs to be allocated: \$1,041,000 acquisition/study, \$1,161,000 preliminary plans, \$373,000 working drawings, and \$6,224,000 construction (\$5,472,000 contract and \$752,000 other project costs) |

CEQA

A Notice of Determination was filed with the County Clerk on December 22, 2014, and the 30-day statute of limitations expired without challenge.

Real Estate Due Diligence

Real estate due diligence for this project is currently under review and will be completed prior to seeking approval of preliminary plans.

Project Schedule

| | |
|---------------------------|----------------|
| Approve preliminary plans | February 2016 |
| Complete working drawings | September 2016 |
| Start construction | January 2017 |
| Complete construction | August 2019 |

Staff Recommendation: **Establish scope, cost, and schedule.**

CONSENT ITEMS

CONSENT ITEM—10

DEPARTMENT OF EDUCATION, STATE SPECIAL SCHOOLS (6100)
CAREER AND TECHNICAL EDUCATION COMPLEX AND SERVICE YARD
CALIFORNIA SCHOOL FOR THE DEAF, RIVERSIDE COUNTY

*Authority: Chapters 38 and 39, Statutes of 2005, 6110-301-0660 (1), as reappropriated by the Budget Acts of 2007, 2008, 2009, 2010, and 2011
Chapter 171 and 172, Statutes of 2007, 6110-301-0660 (2), as reappropriated by the Budget Acts of 2009, 2010, and 2011*

Consider approving:

- a) an increase within appropriation
- b) an augmentation

\$1,641,000
(8.0 percent of total project)
(9.9 percent cumulative)

CONSENT ITEMS

STAFF ANALYSIS ITEM—10

Department of Education, State Special Schools
Career and Technical Education Complex and Service Yard
California School for the Deaf,
Riverside County

Action requested

If approved, the requested action would approve an increase within appropriation and augmentation.

Scope Description

This project is within scope. This project will provide 23,727 square feet (sf) for a new career technical education complex which will consist of: classrooms, offices, a kitchen, indoor and outdoor dining areas, storage rooms, training rooms for graphic arts, advertising art, information technology, a drama room, and a dark room. This project will also provide a 12,504 sf shop building that includes offices, storage rooms, an auto shop, a paint booth, teaching space for the construction trades, and horticulture/landscaping. Also included is a 200 sf greenhouse, 10,000 sf service yard, parking for 71 vehicles, landscaping, utilities, walkways, site lighting, and demolition of the existing buildings including hazardous material removal and monitoring.

Funding and Cost Verification

This project is not within cost. Due to the complexities on working with the Department of Toxic Substances Control (DTSC) on contaminated soil remediation and the magnitude of DTSC's involvement, the start of Building B was delayed by 6 months and required a significant amount of additional testing and report submittals. There has been a substantial amount of requests for information (RFI's) by the contractor resulting in design revisions requiring Division of the State Architect reviews and approvals, which has contributed to the delay. In November 2014, just prior to powering up Building B, the primary circuit breakers were stolen, which caused a delay of 11 weeks in purchasing and replacing the equipment. In April 2015, approximately 700 linear feet of asbestos-insulated piping in a concrete steam distribution tunnel was discovered under the existing building and required 4 weeks for asbestos abatement and removal of the concrete tunnel, which delayed the start of construction for Building A.

In 2012, the project received a budget Executive Order (EO) augmenting this project by \$399,000. Only \$314,000 was transferred, leaving \$85,000 in authority available. In 2013, when the project went to bid there were bid savings \$1,563,000 of which \$1,140,000 was used as an increase within appropriation in 2014, leaving \$423,000 in authority available from bid savings.

The requested funding of \$2,149,000 will provide for off-shift work, increased crew sizes, and additional management/supervision by the general contractor; increased DGS involvement for Architecture and Engineering (A&E), Project and Construction Management, and Inspection; and theft prevention. These funds would minimize any future delays, accelerate the project, and replenish depleted budgets. This increase will be funded with \$423,000 bid savings, \$85,000 budget EO savings, and an augmentation of \$1,641,000. The resulting transfer will total \$2,149,000 using existing project authority and the proposed augmentation.

| | |
|--------------|---|
| \$20,807,000 | total authorized project costs |
| \$22,448,000 | total estimated project costs |
| \$20,299,000 | project costs previously allocated: preliminary plans \$1,100,000, working drawings \$1,484,000, and construction \$17,770,000 (\$13,156,000 construction contract, \$1,183,000 contingency; A&E \$1,688,000; and Other Costs \$1,743,000). |
| \$ 2,149,000 | costs to be allocated: construction |
| \$ 508,000 | requested increase from remaining project savings |
| \$ 1,641,000 | requested augmentation |

CEQA

A Negative Declaration was filed with the State Clearinghouse on March 30, 2007 and the 30-day statute of limitations expired without challenge.

Real Estate Due Diligence

A Summary of Condition letter was completed on March 26, 2008, and no issues that would adversely affect the beneficial use and quiet enjoyment of the project were identified.

Project Schedule

| | |
|---------------------------|-------------|
| Approve preliminary plans | May 2007 |
| Complete working drawings | May 2012 |
| Start construction | May 2013 |
| Complete construction | August 2016 |

Staff Recommendation: **Approve an increase within appropriation and an augmentation.**

CONSENT ITEMS

CONSENT ITEM—11

**DEPARTMENT OF EDUCATION, STATE SPECIAL SCHOOLS (6100)
KITCHEN AND DINING HALL RENOVATION
CALIFORNIA SCHOOL FOR THE DEAF, RIVERSIDE COUNTY**

*Authority: Chapters 47 and 48, Statute of 2006, Item 6110-301-0660 (1), as reappropriated by the Budget Acts of 2008, 2009, 2010, and 2011
Chapters 268 and 269, Statute of 2008, Item 6110-301-0660 (3), as reappropriated by the Budget Acts of 2009, 2010, and 2011*

Consider approving:

a) an increase within appropriation

b) an augmentation

**\$1,348,000
(9.8% percent of total project)**

CONSENT ITEMS

STAFF ANALYSIS ITEM—11

Department of Education, State Special Schools
Kitchen and Dining Hall Renovation
California School for the Deaf,
Riverside County

Action requested

If approved, the requested action would approve an increase within appropriation and an augmentation.

Scope Description

The project is within scope. This project provides a 3,728 square foot addition for the existing main kitchen and dining facility. The new work will consist of replacement of kitchen equipment; all coolers and freezers; redesign of the food serving line; new architectural finishes; new folding partitions to separate dining area from kitchen; upgrades to plumbing, mechanical, and electrical systems; and ADA code upgrades to existing restrooms and doorways. Site work will include new underground utilities to support the new addition and building pad/utilities for the temporary kitchen and dining trailers. The design for the temporary kitchen facility (trailers) and required equipment for the temporary dining facility (existing Social Hall) will also be included. Demolition work will include hazmat abatement, removal of existing kitchen equipment, landscaping, and removal and replacement of the existing building structure.

Funding and Cost Verification

This project is not within cost. The Kitchen and Dining Hall renovation schedule has been impacted due to delays in receiving the necessary regulatory approvals. The temporary portion of the kitchen experienced delays in the preparation and submission of deferred submittals required by Division of the State Architect and California State Fire Marshal's Office. Without these approvals, the temporary building could not proceed to be manufactured and tested for occupancy. Demolition of the main kitchen cannot proceed until the temporary kitchen is operational so the school can provide meals to the students without interruption.

There was a bid savings of \$954,000 in 2012.

The requested funding of \$2,302,000 will provide for off-shift work, increased crew sizes, and additional management/supervision by the general contractor; increased DGS involvement for Architecture and Engineering (A&E), Project and Construction Management, and Inspection; and theft prevention. These funds would minimize any future delays, accelerate the project, and replenish depleted budgets. This increase will be funded with \$954,000 bid savings and an augmentation of \$1,348,000. The resulting transfer will total \$2,302,000 using existing project authority and the proposed augmentation.

| | |
|--------------|--|
| \$13,762,000 | total authorized project costs |
| \$15,110,000 | total estimated project costs |
| \$12,808,000 | project costs previously allocated: preliminary plans \$600,000, working drawings \$876,000, and construction \$11,332,000 (\$8,283,000 construction contract, \$580,000 contingency, A&E \$1,041,000, and Other Costs \$1,428,000). |
| \$ 2,302,000 | costs to be allocated: construction |
| \$ 954,000 | requested increase from remaining bid savings |
| \$ 1,348,000 | requested augmentation |

CEQA

A Notice of Exemption was filed with the State Clearing House on September 5, 2007, and the 35-day statute of limitations expired without challenge.

Real Estate Due Diligence

Real Estate due diligence was completed on March 26, 2008, and no issues that would adversely affect the beneficial use and quiet enjoyment of the project were identified.

Project Schedule

| | |
|---------------------------|---------------|
| Approve preliminary plans | May 2011 |
| Complete working drawings | April 2012 |
| Start construction | May 2013 |
| Complete construction | December 2016 |

Staff Recommendation: **Approve an increase within appropriation and an augmentation.**

CONSENT ITEMS

CONSENT ITEM—12

CALIFORNIA STATE UNIVERSITY (6610)
CALIFORNIA STATE POLYTECHNIC UNIVERSITY, POMONA
ADMINISTRATION REPLACEMENT FACILITY
LOS ANGELES COUNTY

*Authority: Chapter 20 Statutes of 2013, Item 6610-301-0668 (1), as reappropriated by the
Budget Act of 2014*

Consider approving preliminary plans.

CONSENT ITEMS

STAFF ANALYSIS ITEM—12

California State Polytechnic University, Pomona
Administration Replacement Facility
Los Angeles County

Action requested

If approved, the requested action would approve preliminary plans.

Scope Description

This project is within scope. This project will provide a replacement facility for the existing Classroom, Laboratories, and Administration (CLA) building complex at the California State Polytechnic University, Pomona. The existing facility has structural and infrastructure deficiencies including: 1) seismic, 2) exterior building systems, 3) bio-organic growth, 4) mechanical and electrical, and 5) life safety and accessibility codes. The replacement facility will be 90,100 ASF/138,400 GSF, combining administrative offices and student services from the CLA and other campus locations to create a one stop student service center.

Funding and Cost Verification

This project is within cost. Authority for all phases of this project was provided in the 2013 Budget Act, as reappropriated in the 2014 Budget Act and pending the 2015 Budget Act.

| | |
|--------------|---|
| \$76,546,000 | total authorized costs |
| \$76,546,000 | total estimated project costs |
| \$ 1,576,000 | project cost previously allocated: preliminary plans |
| \$74,970,000 | project costs to be allocated: \$1,943,000 working drawings and \$73,027,000 construction (\$64,561,000 construction contracts, \$1,954,000 contingency, and \$6,512,000 other project costs) |

CEQA

A Notice of Determination was prepared and filed with the State Clearinghouse on November 8, 2013, and the 35-day statute of limitations expired without challenge.

Real Estate Due Diligence

A Title Evaluation Report was completed on November 22, 2013, and no issues that would adversely affect the beneficial use and quiet enjoyment of the project were identified.

Project Schedule

| | |
|---------------------------|----------------|
| Approve preliminary plans | June 2015 |
| Complete working drawings | April 2016 |
| Start construction | June 2016 |
| Complete construction | September 2018 |

Staff Recommendation: Approve preliminary plans

CONSENT ITEMS

CONSENT ITEM—13

**CALIFORNIA COMMUNITY COLLEGES (6870)
RIO HONDO COMMUNITY COLLEGE DISTRICT, RIO HONDO COLLEGE, L TOWER
SEISMIC AND CODE UPGRADES
LOS ANGELES COUNTY**

Authority: Chapter 25, Statutes of 2014, Item 6870-301-6049 (3.5)

Consider approving preliminary plans

CONSENT ITEMS

STAFF ANALYSIS ITEM—13

California Community Colleges
Rio Hondo Community College District, Rio Hondo College,
L Tower Seismic and Code Upgrades
Los Angeles County

Action Requested

If approved, the requested action would approve preliminary plans.

Scope Description

This project is within scope. This project provides construction funds to seismically renovate the L Tower Building and upgrade for fire/life safety, accessibility, and energy code compliance. The retrofit will result in a 30,166 Assignable Square Feet (ASF) building consisting of 6,908 ASF of lecture space, 12,125 ASF of laboratory space, 6,350 ASF of office space, 3,465 ASF of AV/TV space, and 1,318 ASF of other space.

Funding and Project Cost Verification

This project is within cost. The total estimated cost of the project is \$22,191,000, state funding equals \$21,939,000 and local funding of \$252,000. The preliminary plans and working drawings were appropriated in the 2014 Budget Act. The \$20,090,000 construction phase is proposed for funding in the 2015 Governor's Budget.

| | |
|--------------|---|
| \$22,191,000 | total authorized project costs |
| \$22,191,000 | total estimated project costs |
| \$ 959,000 | state costs previously allocated: preliminary plans |
| \$20,980,000 | state costs to be allocated: \$890,000 working drawings and \$20,090,000 construction (\$17,798,000 contracts, \$1,246,000 contingency, and \$1,046,000 project administration) |
| \$ 252,000 | Local costs to be allocated: working drawings |

CEQA

A Notice of Exemption was filed with the State Clearinghouse on March 12, 2015, and the 35-day statute of limitations expired without challenge.

Real Estate Due Diligence

Community college districts have full responsibility for clearing due diligence issues for general obligation bond projects.

Project Schedule

| | |
|---------------------------|--------------|
| Approve preliminary plans | June 2015 |
| Complete working drawings | August 2016 |
| Start of construction | October 2016 |
| Complete construction | October 2017 |

Staff Recommendation: Approve preliminary plans.

ACTION ITEMS

ACTION ITEM—1

**HIGH SPEED RAIL AUTHORITY (2665)
INITIAL OPERATING SEGMENT, SECTION 1
MADERA, FRESNO, KINGS, AND TULARE COUNTIES**

*Authority: Chapter 152, Statutes of 2012, Item 2665-306-0890 (1)
Chapter 152, Statutes of 2012, Item 2665-306-6043 (1)
Chapter 25, Statutes of 2014, Item 2665-306-3228 (1)
Section 15854 of the Government Code*

Consider the adoption of Resolutions of Necessity authorizing the use of eminent domain to acquire the following properties:

- 1. Gabrielian Property (Fresno County)**
Authority Parcel Numbers: FB-10-0102-1, FB-10-0102-2, FB-10-0102-3,
FB-10-0102-4, FB-10-0606-1, and FB-10-0606-2
Assessor Parcel Numbers: 458-250-25 and 458-250-27
- 2. Bedrosian Truck Service Property (Fresno County)**
Authority Parcel Numbers: FB-10-0118-1 and FB-10-0118-01-01
Assessor Parcel Number: 465-040-04
- 3. Stone Property (Fresno County)**
Authority Parcel Number: FB-10-0585-1
Assessor Parcel Number: 479-030-074
- 4. Dias/Fragoso Property (Kings County)**
Authority Parcel Numbers: FB-16-0176-1, FB-16-0176-2, and FB-16-0177-1
Assessor Parcel Numbers: 016-200-042 and 016-200-043
- 5. Bergman Property (Kings County)**
Authority Parcel Numbers: FB-16-0214-1 and FB-16-0214-2
Assessor Parcel Number: 028-080-002
- 6. Allred/Maynard Property (Kings County)**
Authority Parcel Numbers: FB-16-0301-1, FB-0301-01-01, FB-16-0301-2, and
FB-16-0301-02-01
Assessor Parcel Number: 034-070-005
- 7. Bank of the Sierra Property (Kings County)**
Authority Parcel Numbers: FB-16-0311-1, FB-16-0311-2, FB-16-0311-01-01, and
FB-16-0311-02-01
Assessor Parcel Number: 034-040-005

8. **Thermo King Fresno Property (Fresno County)**
Authority Parcel Numbers: FB-10-0213-1, FB-10-0214-1, FB-10-0215-1, FB-10-0215-2, FB-10-0215-3, FB-10-0215-4, FB-10-0215-5, FB-10-0215-6, and FB-10-0215-7
Assessor Parcel Numbers: 479-110-01, 479-110-24, and 479-110-25
9. **Brazil Property (Kings County)**
Authority Parcel Numbers: FB-16-0203-1, FB-16-0203-2, FB-16-0203-3, FB-16-0203-4, FB-16-0203-6, FB-16-0203-01-01, FB-16-0203-02-01, FB-16-0204-1, FB-16-0204-2, and FB-16-0204-01-01
Assessor Parcel Numbers: 016-260-019 and 016-260-026
10. **Ashford Property (Kings County)**
Authority Parcel Numbers: FB-16-0323-1, FB-16-0323-01-01, and FB-16-0323-02-01
Assessor Parcel Number: 034-015-015
11. **Steel Structures Property (Madera County)**
Authority Parcel Numbers: MF-20-0963-1, MF-20-0963-2, MF-20-0964-1, MF-20-0965-1, MF-20-1004-1, MF-20-1004-2, MF-20-1006-1, MF-20-1007-1 and MF-20-1007-2
Assessor Parcel Numbers: 035-102-039, 035-102-018, 035-102-038, 035-102-020, 035-102-031 and 035-102-040
12. **Lazarus 1 Property (Fresno County)**
Authority Parcel Numbers: FB-10-0292-1, FB-10-0292-2 and FB-10-0292-3
Assessor Parcel Number: 334-330-40
13. **Lazarus 2 Property (Fresno County)**
Authority Parcel Number: FB-10-0296-1
Assessor Parcel Numbers: 334-250-02 and 334-250-59s
14. **Makklang Property (Fresno County)**
Authority Parcel Number: FB-10-0436-1
Assessor Parcel Number: 385-081-022S
15. **Cavazos Property (Kings County)**
Authority Parcel Numbers: FB-16-0293-1 and FB-16-0293-2
Assessor Parcel Number: 034-080-020
16. **Boyett Farms Property (Kings County)**
Authority Parcel Numbers: FB-16-0316-1, FB-16-0316-2, and FB-16-0316-01-01
Assessor Parcel Number: 034-015-004
17. **Ward Property (Tulare County)**
Authority Parcel Number: FB-54-0905-1
Assessor Parcel Number: 333-102-004
18. **Golden Olive Ranch Property (Madera County)**
Authority Parcel Number: MF-20-1009-1
Assessor Parcel Number: 035-172-003

ACTION ITEMS

STAFF ANALYSIS ITEM—1

High Speed Rail Authority
Initial Operating Segment, Section 1
Madera, Fresno, Kings, and Tulare Counties

Action Requested

If approved, the requested action would adopt 16 Resolutions of Necessity authorizing the use of eminent domain to acquire properties totaling approximately 44.8 acres. Specifically, the recommendation is to adopt Resolutions of Necessity for properties 1-5, 7-14, and 16-18.

Scope Description

This project is within scope. The Initial Operating Segment, Section 1 (IOS-1) is expected to be approximately 120 miles starting near Madera (north of Fresno) and extending southward almost to Bakersfield. This initial section includes the realignment of Highway 99 in Fresno, construction of a bridge over the San Joaquin River, several grade separations, two viaducts and the acquisition of approximately 1,300 parcels. The IOS-1 is the first construction phase of the High Speed Train System (HSTS). The HSTS consists of Phase 1, which would provide 520 miles of the HSTS extending from San Francisco to Los Angeles/Anaheim, and Phase 2, which would extend the system to Sacramento and San Diego.

Funding and Cost Verification

This project is within cost. Chapter 152, Statutes of 2012, appropriated \$5.850 billion (\$2.609 billion High Speed Passenger Train Fund and \$3.241 billion federal funds) and Chapter 25, Statutes of 2014 provided an additional \$191.4 million Greenhouse Gas Reduction Fund for the IOS-1.

Background

In order to adopt a Resolution of Necessity that is required to initiate the eminent domain proceedings, the Board must consider that the following conditions have been met:

- (A) The public interest and necessity require the project;
- (B) The project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury;
- (C) The property sought to be acquired is necessary for the project; and,
- (D) The offer required by Government Code section 7267.2 has been made to the owner or owners of record, with the exception of property 17 as the owner, Ward, could not be found with reasonable due diligence.

In 2008 the voters of California approved Proposition 1a, authorizing monies from the High-Speed Passenger Train Bond fund in support of this Project. In 2009 and 2010 the federal government approved funds in support of the portion of this Project extending from San Francisco to Anaheim, and in 2012 and 2014, through Chapter 152, Statutes of 2012 and Chapter 25, Statutes of 2014, the Legislature appropriated funds for the acquisition and design-build phases of the IOS-1 of the Project, extending from Madera to near Bakersfield.

The Property Acquisition Law, commencing with section 15850 of the Government Code, authorizes the Board to select and acquire in the name of the State of California (State) with the consent of the State agency concerned, the fee or any lesser right or interest in any real property necessary for any State purpose or function. This law also authorizes the Board to acquire property by condemnation, in the manner provided for in Title 7 (commencing at section 1230.010) of Part 3 of the Code of Civil Procedure.

Each of the properties is within the right of way for IOS-1 and was site selected at previous Board meetings. The site selections took place after an extensive environmental review process where it was determined that any alternative alignment would include the selected parcels, or where a preferred alignment had already been approved by both the High Speed Rail Authority Board and the Federal Railroad Administration. Acquisition of these properties will allow the High Speed Rail Authority to move forward with construction of the HSTS.

Between September 2013 and March 2015, the various owners, with the exception of Ward who could not be located, were provided with a first written offer to purchase the subject property, as required by Government Code section 7267.2. Negotiations to acquire the properties are continuing; however, in order to keep the project on schedule, the adoption of Resolutions of Necessity to authorize the use of eminent domain is required.

On May 27 and 28, 2015, Notices of Intent to adopt a Resolution of Necessity were mailed to the respective property owners. These notices were sent in accordance with Code of Civil Procedure section 1245.235.

Property Specific Information:

1. Gabrielian Property (Fresno County)
Authority Parcel Numbers: FB-10-0102-1, FB-10-0102-2, FB-10-0102-3, FB-10-0102-4, FB-10-0606-1, and FB-10-0606-2
Assessor Parcel Numbers: 458-250-25 and 458-250-27
Partial Acquisition: 1.26 acres total (0.32 in permanent easement, 0.94 acre in TCE)

This property will be needed for the construction of sewer/drain and natural gas infrastructure in the vicinity of State Route 180 and G Street.

2. Bedrosian Truck Service Property (Fresno County)
Authority Parcel Numbers: FB-10-0118-1 and FB-10-0118-01-01
Assessor Parcel Number: 465-040-04
Full Acquisition: 0.77 acre in fee

This property will be needed for the construction of the HSTS between Stanislaus Street and Tuolumne Street.

3. Stone Property (Fresno County)
Authority Parcel Number: FB-10-0585-1
Assessor Parcel Number: 479-030-074
Partial Acquisition: 0.13 acre in fee

This property will be needed for improvements to N. Golden State Boulevard between E. Church Avenue and S. East Avenue.

4. Dias/Fragoso Property (Kings County)

Authority Parcel Numbers: FB-16-0176-1, FB-16-0176-2, and FB-16-0177-1

Assessor Parcel Numbers: 016-200-042 and 016-200-043

Partial Acquisition: 1.66 acres total (1.64 acres in fee, 0.02 acre in TCE)

This property will be needed for the construction of the Houston Avenue grade separation.

5. Bergman Property (Kings County)

Authority Parcel Numbers: FB-16-0214-1 and FB-16-0214-2

Assessor Parcel Number: 028-080-002

Full Acquisition: 0.50 acre in fee

This property will be needed for the construction of the Jackson Avenue grade separation and the HSTS adjacent to Jackson Avenue.

6. Allred/Maynard Property (Kings County)

Authority Parcel Numbers: FB-16-0301-1, FB-16-0301-01-01, FB-16-0301-2, and FB-16-0301-02-01

Assessor Parcel Number: 034-070-005

Full Acquisition: 0.86 acre in fee

Property Pulled

7. Bank of the Sierra Property (Kings County)

Authority Parcel Numbers: FB-16-0311-1, FB-16-0311-2, FB-16-0311-01-01, and FB-16-0311-02-01

Assessor Parcel Number: 034-040-005

Full Acquisition: 0.99 acre in fee

This property will be needed for the construction of the HSTS between Avenue 5½ and Niles Avenue and construction of Avenue 5½ connection to Niles Avenue.

8. Thermo King Fresno Property (Fresno County)

Authority Parcel Numbers: FB-10-0213-1, FB-10-0214-1, FB-10-0215-1, FB-10-0215-2, FB-10-0215-3, FB-10-0215-4, FB-10-0215-5, FB-10-0215-6, and FB-10-0215-7

Assessor Parcel Numbers: 479-110-01, 479-110-24, and 479-110-25

Partial Acquisition: 1.28 acres total (0.91 acre in fee, 0.19 acre in permanent easement, 0.18 acre in TCE)

This property will be needed for improvements to N. Golden State Boulevard and E. Church Avenue and construction of the HSTS between E. Church Avenue and S. East Avenue.

9. Brazil Property (Kings County)

Authority Parcel Numbers: FB-16-0203-1, FB-16-0203-2, FB-16-0203-3, FB-16-0203-4, FB-16-0203-6, FB-16-0203-01-01, FB-16-0203-02-01, FB-16-0204-1, FB-16-0204-2, and FB-16-0204-01-01

Assessor Parcel Numbers: 016-260-019 and 016-260-026

Partial Acquisition: 21.76 acres total, (19.37 acres in fee, 2.34 acres in permanent easement, 0.05 in TCE)

This property will be needed for the construction of the Iona Avenue grade separation and the HSTS between Iona Avenue and Idaho Avenue.

10. Ashford Property (Kings County)

Authority Parcel Numbers: FB-16-0323-1, FB-16-0323-01-01, and FB-16-0323-02-01

Assessor Parcel Number: 034-015-015

Full Acquisition: 2.59 acres in fee

This property will be needed for the construction of the HSTS between Niles Avenue and 5th Avenue.

11. Steel Structures Property (Madera County)

Authority Parcel Numbers: MF-20-0963-1, MF-20-0963-2, MF-20-0964-1, MF-20-0965-1, MF-20-1004-1, MF-20-1004-2, MF-20-1006-1, MF-20-1007-1 and MF-20-1007-2

Assessor Parcel Numbers: 035-102-039, 035-102-018, 035-102-038, 035-102-020, 035-102-031 and 035-102-040

Partial Acquisition: 1.41 acres total (1.35 acres in fee, 0.06 acre in permanent easement)

This property will be needed for the construction of the Avenue 15½ grade separation and the HSTS between Avenue 15½ and Avenue 15¾ .

12. Lazarus 1 Property (Fresno County)

Authority Parcel Numbers: FB-10-0292-1, FB-10-0292-2 and FB-10-0292-3

Assessor Parcel Number: 334-330-40

Partial Acquisition: 0.14 acre total (0.11 acre in fee, 0.03 acre in TCE)

This property will be needed for the construction of E. Lincoln Avenue grade separation.

13. Lazarus 2 Property (Fresno County)

Authority Parcel Number: FB-10-0296-1

Assessor Parcel Numbers: 334-250-02 and 334-250-59s

Partial Acquisition: 3.86 acres in fee

This property will be needed for the construction of E. Lincoln Avenue grade separation.

14. Makklang Property (Fresno County)

Authority Parcel Number: FB-10-0436-1

Assessor Parcel Number: 385-081-022S

Partial Acquisition: 1.02 acres in fee

This property will be needed for the construction of the HSTS between E. Mountain View Avenue and E. Kamm Avenue.

15. Cavazos Property (Kings County)
Authority Parcel Numbers: FB-16-0293-1 and FB-16-0293-2
Assessor Parcel Number: 034-080-020
Partial Acquisition: 0.05 acre in fee

Property Pulled

16. Boyett Farms Property (Kings County)
Authority Parcel Numbers: FB-16-0316-1, FB-16-0316-2, and FB-16-0316-01-01
Assessor Parcel Number: 034-015-004
Partial Acquisition: 5.98 acres in fee

This property will be needed for the construction of of HSTS between Niles Avenue and 5th Avenue.

17. Ward Property (Tulare County)
Authority Parcel Number: FB-54-0905-1
Assessor Parcel Number: 333-102-004
Partial Acquisition: 0.01 acre in fee

This property will be needed for the construction of the HSTS between Avenue 8 and Avenue 16.

18. Golden Olive Ranch Property (Madera County)
Authority Parcel Number: MF-20-1009-1
Assessor Parcel Number: 035-172-003
Partial Acquisition: 1.41 acres in fee

This property will be needed for the construction of the Avenue 15 grade separation.

Staff Recommendation: **Adopt 16 Resolutions of Necessity authorizing the use of eminent domain to acquire properties totaling approximately 44.8 acres. Specifically, the recommendation is to adopt Resolutions of Necessity for properties 1-5, 7-14, and 16-18.**

CLOSED SESSION

HIGH SPEED RAIL AUTHORITY (2665) INITIAL OPERATING SEGMENT, SECTION 1

Closed Session to Confer with Legal Counsel regarding Pending Litigation

The Board will meet in closed session, pursuant to Government Code sections 11126(e)(1) and (e)(2)(a), to confer with counsel regarding pending litigation. The following case(s) will be discussed:

1. *The State of California, acting by and through the State Public Works Board, v. Fresno Kelsam LLC, et al., Fresno Superior Court Case No. 15CECG00892*

OTHER BUSINESS

NONE

REPORTABLES

To be presented at the meeting.